

BILL NO. Z-74-01-10

ZONING ORDINANCE NO. Z- 06-74

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. GG3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated
a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort
Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments
thereof, and the symbols of the City of Fort Wayne Map No. GG3 referred to therein,
established by Section 9, Article III of said Chapter as amended are hereby changed
accordingly, to-wit:

A part of the Southwest Quarter of Section 5, Township 30 North,
Range 12 East, In Allen County, Indiana, it also being a part of the
Northwest Quarter of Lagro Reserve Section in Township 30 North,
Range 12 East, in Allen County, Indiana, and being more particularly
described as follows, to-wit: Beginning at the Southwest corner of the
aforesaid Section 5, Township 30 North, Range 12 East, said point
being under the pavement of the Illinois Road; thence North along the
West line of said Section 5, said line making an interior angle of 90
degrees and 6 minutes with the South line of the tract hereinafter
described, a distance of 2639 feet to a stone at the West Quarter cor-
ner of the said Section 5; thence East along the East and West center-
line of said Section 5 by an interior angle of 89 degrees and 52
minutes a distance of 357.6 feet to a stone on the south right-of-way
line of the Pennsylvania Railroad; thence Southeasterly along the
said right-of-way line of the Pennsylvania Railroad by an interior
angle of 161 degrees and 40 minutes a distance of 146.37 feet to an iron
pin and stake in the aforesaid South right-of-way line of the Pennsyl-
vania Railroad; thence South on a line parallel to the aforementioned
West line of Section 5 by an interior angle of 108 degrees and 28 min-
utes a distance of 2592.67 feet to the South line of Section 5, said line
being the centerline of the Illinois Road; thence West along the South
line of Section 5 by an interior angle of 89 degrees and 54 minutes a
distance of 496.43 feet to the point of beginning, containing 30 acres
of land

SECTION 2. This Ordinance shall be in full force and effect from
and after its passage and approval by the Mayor and legal publication thereof.

APPROVED AS TO FORM
AND LEGALITY.

Councilman

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Graus, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 7-22-74

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by King, and duly adopted, placed on its passage. Passed (~~2037~~) by the following vote:

	AYES <u>7</u>	NAYS <u>2</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DATE: 4-9-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 3-06-74 on the 9th day of April, 1974.

Charles W. Westerman
CITY CLERK

ATTEST: (SEAL)

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A. M., E.S.T.

Edward H. Kemmibar
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 22, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-01-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

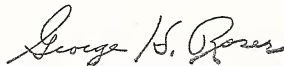
WHEREAS, the City Plan Commission conducted a public hearing on March 18, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
27th day of March, 1974.



George H. Roser
Secretary

Bill No. Z-74-01-10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. GG3

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols

William T. Hinga

Paul M. Burns

Do Schmidt

DATE 4-74 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Nº 243

GENERAL FUND

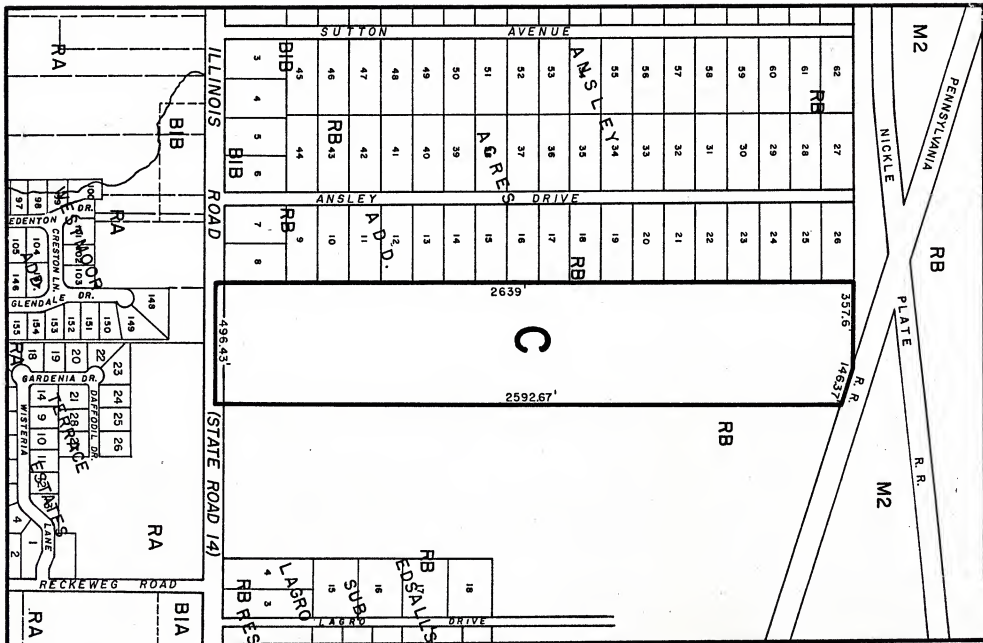
FT. WAYNE, IND., Dec. 21 19 73

RECEIVED FROM Dixon + Meter \$ 50.00

THE SUM OF Fifty and 00/100 ¹⁰⁰ DOLLARS

ON ACCOUNT OF Delmar Rd. at Ansley Drive

Barbara Stuck
AUTHORIZED SIGNATURE



C CHANGE FROM RB TO B3B

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

No. _____

DATE FILED: _____

INTENDED USE: _____

I/We Ewing Realty, Inc., by Bruce A. Ewing, President

Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an RB District to a B-3-B District the property described as follows:

SEE ATTACHED DESCRIPTION

General Description (Prepared by Planning Staff)

See Exhibit "A"

Legal Description

Legal Description Checked by (City Engineer) _____

The Undersigned applicant (s) upon the execution and submission of this application and petition for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or for the ordinance to be taken under advisement is filed within the required time, the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. Also, in the event, a request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

I/We hereby certify that as the undersigned, I am / We are the owner (s) of fifty-one percentum or more of the property described in this petition.

Ewing Realty, Inc.
Name

5020 Daffodil
Address

X Bruce A. Ewing President
Signature

This petition for zoning ordinance amendment prepared by:

John M. Whitmore, Jr.
Name NIETER & DIXON

222 Utility Building
Address

743-0502
Telephone Number

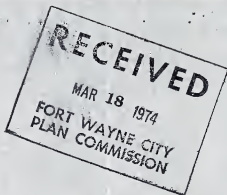
City Plan Commission - One Main Street - City-County Building - Fort Wayne, Indiana - 423-7571

Trar 11-7-66

680/444

A part of the Southwest Quarter of Section 5, Township 30 North, Range 12 East, in Allen County, Indiana, it also being a part of the Northwest Quarter of Lagro Reserve Section in Township 30 North, Range 12 East, in Allen County, Indiana, and being more particularly described as follows, to-wit: Beginning at the Southwest corner of the aforesaid Section 5, Township 30 North, Range 12 East, said point being under the pavement of the Illinois Road; thence North along the West line of the said Section 5, said line making an interior angle of 90 degrees and 6 minutes with the South line of the tract hereinafter described, a distance of 2639 feet to a stone at the West Quarter corner of the said Section 5; thence East along the East and West centerline of said Section 5 by an interior angle of 89 degrees and 52 minutes a distance of 357.6 feet to a stone on the south right-of-way line of the Pennsylvania Railroad; thence Southeasterly along the said South right-of-way line of the Pennsylvania Railroad by an interior angle of 161 degrees and 40 minutes a distance of 146.37 feet to an iron pin and stake in the aforesaid South right-of-way line of the Pennsylvania Railroad; thence South on a line parallel to the aforementioned West line of Section 5 by an interior angle of 108 degrees and 28 minutes a distance of 2592.67 feet to the South line of Section 5, said line being the centerline of the Illinois Road; thence West along the South line of Section 5 by an interior angle of 89 degrees and 54 minutes a distance of 496.43 feet to the point of beginning, containing 30 acres of land.

EXHIBIT "A"



411 Ansley Drive
Fort Wayne, Ind; 46804
March 16, 1974

City Plan Commission
City - County Building
One Main Street
Fort Wayne, Indiana

Dear Sirs:

I do no night driving because of the crime situation. Accordingly, I shall not attend the meeting March 18th on the zoning amendment.

However, I am opposed to changing this district from an "RB" District - Suburban Residential, to a "B3B" District - General Business.

Yours truly,
Merle Highlen

Regulations

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-74-01-10

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment Ordinance

Petition initiated by property owners to rezone property located as follows:

A parcel of ground containing approximately 30 acres, more or less,

located on the North side of Illinois Road (State Road # 14), on the east

side of Ansley Acres Addition, and extending northward to the Pennsylvania

Railroad.

From "RB" to "B3B"

EFFECT OF PASSAGE Property is presently zoned "RB" - Suburban Residential.

Petitioners are requesting a "B3B" District - General Business Zone

EFFECT OF NON-PASSAGE Property would remain residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) _____



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

April 11, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of April 13 and April 20, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for the
Common Council of Fort Wayne,
Indiana:
Bill No. Z-73-12-12
Bill No. Z-74-01-10
Bill No. Z-73-12-10
Bill No. Z-73-06-11
Bill No. G-74-03-35

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
Encl: 5

To NEWS-SENT INEL Dr.

FORT WAYNE, INDIANA

LINE COUNT

Total number of lines in notice

120

Charles W. WESTERMAN,
City Clerk.

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

118

2

120

COMPUTATION OF CHARGES

120 lines, 1 columns wide equals 120 equivalent lines at 1288¢ cents per line \$ 34.56

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

1.00

\$ 35.56

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date April 22, 19 74

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken

that she is Clerk who, being duly sworn, says

of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly

published in said paper for two

time, the dates of publication being

as follows:

4/13-20/74

Subscribed and sworn to before me this 22nd day of April 19 74

Notary Public

My commission expires March 11, 1978

Classifieds INDEX ANNOUNCEMENTS

accused Nixon then of falling
stem rising fuel and gasol
In March, the group held
'Give it to Nixon Day' outst
the Internal Revenue Service o
fices in Boston and attempted
donate "valuable personal p
pers" to the IRS in exchange
tax deductions.

Card of Thomas
In Memoriam - Cemetery Lots
Monuments - Cemetery Lots
Happy Ads
Personal - Commercial
Transportation
Lost - Found
Professional Services
Bouly Shops - Supplies
Taxes - Accounting
General Services
Building Construction
Dismantling from
Swimming Pools
Concrete Work
Flooring - Tile - Carpeting
Painting - Heating
Refrigeration - Air Conditioning
Electrical Contracting
Roofing - Scaffolding
Plastering - Painting - Papering
Sewer - Toilet Key Services
Garages
Landscaping
Green - Dirt - Stone
Removal - Repairing
Sewer - Septic Tank
Hauling - Delivery

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen
County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

118

2

120

COMPUTATION OF CHARGES

Notice is hereby given that on the 9th day of April, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-6-74, 2-6-74 Zoning Map Ordinance, to-wit: BILL NO. 2-6-74-10

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-33, to-wit: BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated as S18 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1966, as amended by General Ordinance No. 2-6-74, and amendments thereof, and the symbols of the City of Fort Wayne Map No. G-33 referred to thereby, established by Section 9, Article 111 of said Chapter as amended are hereby changed accordingly, to-wit:

A part of the Southwest Quarter of Section 5, Township 20 North, Range 12 East, in Allen County, Indiana, it also being a part of the Northwest Quarter of Lagro Reserve Section 16 Township 30 North, Range 12 East, in Allen County, Indiana, and being more particularly described as follows, to-wit: Beginning at the Southwest corner of the aforesaid Section 5, Township 30 North, Range 12 East, said point being under the pavement of the Illinois Road; thence North along the West line of said Section 5, said line making an interior angle of 90 degrees and 6 minutes with the South line of the road hereinafter described, a distance of 239 feet to a stone at the West quarter corner of the said Section 5; thence East along the East and West center-line of said Section 5 by an interior angle of 89 degrees and 52 minutes a distance of 357.0 feet to a stone on the south right-of-way line of the Pennsylvania Railroad; thence Southeast along the road; thence Southeast along the said right-of-way line of the Pennsylvania Railroad by an interior angle of 161 degrees and 40 minutes a distance of 146.2 feet to an iron pin and stake; thence South along the South line of the aforesaid South right-of-way line of the Pennsylvania Railroad; thence South on a line parallel to the aforesaid West line of Section 5 by an interior angle of 100 degrees and 22 minutes a distance of 899.45 feet to the South line of Section 5, said line being the centerline of the Illinois Road; thence West along the South line of Section 5 by an interior angle of 89 degrees and 54 minutes a distance of 496.3 feet to the point of beginning, containing 30 acres of land.

SECTION 2. This Ordinance shall be in full force and effect from the date of passage and approval by the Mayor and Council of the City of Fort Wayne, Indiana, and shall be in full force and effect from the date of publication hereof.

John Nuckols, Councilman,
Read the third time in full and on motion by Nuckols, seconded by Hilgert, and duly adopted, placed on its passage. PASSED by the following vote:

Aye: Seven.
Nay: Three.
V. Schmidt, Tolarica.
V. Schmidt, Stiller.
Date: 2-24

Charles W. Westerman, City Clerk,
Read and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 A.M., E.S.T.

ATTEST: (SEAL)
Charles W. Westerman, City Clerk,
Samuel J. Tolarica, Presiding Officer,
Presented by me to the Common Council of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 A.M., E.S.T.

Charles W. Westerman, City Clerk,
Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Karmakar, City Controller,
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-6-74 passed by the Common Council on the 9th day of April, 1974, and that said Ordinance was duly signed and approved by the City Controller on the 11th day of April, 1974, and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of April, 1974.
Charles W. WESTERMAN,
City Clerk.

es. 1 columns wide equals 120 equivalent lines at 288¢
ts per line

\$ 34.56

charge for notices containing rule or tabular work (50 per cent of above

extra proofs of publication (50 cents for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 35.68

NG COST

ngle column 11 ems

Size of type 5½ point

insertions.....2

Size of quad upon which type is cast 5½

ion and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald

CLERK

19 74

Title

PUBLISHER'S AFFIDAVIT

State of Indiana } as:
Allen County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

4/13-20/74

Subscribed and sworn to before me this 22nd day of April 19 74

Arvilla DeWald

Arvilla DeWald

Notary Public

My commission expires March 11, 1976

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)	_____
— number of equivalent lines	_____
Head number of lines	_____
Body number of lines	118
Tail number of lines	2
Total number of lines in notice	120

COMPUTATION OF CHARGES

120 lines, 1 columns wide equals 120 equivalent lines at .288¢	\$ 34.56
cents per line	
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.00
	56
TOTAL AMOUNT OF CLAIM	\$ 35.66

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date April 22, 1974

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:
4/13-20/74

Subscribed and sworn to before me this 22 day of April 1974

Notary Public

My commission expires March 11, 1978

COPY OF
MENT HERE